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**TLABC believes that the NDP's proposed changes to ICBC's injury caps scheme and the Civil Resolution Tribunal are *unconstitutional***

Vancouver, BC –The Trial Lawyers Association of British Columbia (TLABC) believes that the proposed NDP legislation pertaining to the Insurance Corporation of British Columbia (ICBC) is unconstitutional, including the proposed legislative changes in Bill 20 (the Insurance (Vehicle) Amendment Act, 2018) and Bill 22 (the Civil Resolution Tribunal Amendment Act, 2018). Together, this legislation plans to remove motor vehicle accident claims assessed at \$50,000 or less from the jurisdiction of B.C. Courts to the Civil Resolution Tribunal (CRT). It also places artificial caps on damages compensating for “minor injuries”, and gives Cabinet unprecedented power to dictate to British Columbians what constitutes a “minor injury”, how doctors may examine, assess, diagnose and treat car accident injuries, and the type and number of treatments British Columbians will be compensated for after a car crash.

“In our view, both of these legislative measures are unconstitutional”, says TLABC President Sonny Parhar. Firstly, the TLABC believes that Bill 22's expansion of the CRT's jurisdiction to encompass accident claims is an unconstitutional erosion of the B.C. superior courts' jurisdiction. Secondly, TLABC believes the pain and suffering “cap” on “minor injuries” created by Bill 20 infringes on the equality rights of injured people in this province protected by the Charter of Rights and Freedoms. Specifically, TLABC believes that injured people are “disabled” within the meaning of the equality rights provisions of the Charter, and are therefore protected from discrimination by the government. TLABC believes that Bill 20 goes so far as to target a certain class of disabled persons for uniquely disadvantageous treatment.

“Our members are deeply concerned for British Columbians and their rights which TLABC says are being sidelined in favor of a quick fix to ICBC's mismanagement problems”, said Sonny Parhar.

*About TLABC*

*The mission of the Trial Lawyers' Association of BC is to support and promote the rights of individuals in British Columbia.*

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